

From: Steven W. Mitchell
To: Microsoft ATR,microsoftcomments@doj.ca.gov@inetgw,...
Date: 12/6/01 5:55pm

Steven W. Mitchell
10286 Greystone Rd
Manassas, VA 20111

Dear Sir or Madame;

I believe that the remedies in the proposed settlements of the various anti-trust lawsuits are totally inadequate because they do little to reform and nothing to punish Microsoft with respect to its monopolistic behavior. It is well established that Microsoft has a monopoly on operating systems for desktop computers, and that it has used that monopoly to destroy competitors both in the operating system market and in adjoining markets, and thereby extend it's domination. The proposed settlements allow Microsoft to retain it's monopoly, and to continue to drive competitors in other markets out of business by integrating additional application functionality into its operating systems.

It has been proposed to remedy this abusive behavior by splitting Microsoft into an OS and an applications company. Even if this were done, it would not address their abuse of their operating system monopoly. If the government wishes to actually address the problem, the Microsoft should be split into two operating system companies encompassing the 'professional' products based on Windows NT in one company, and a 'home' computer operating system company based on the Windows 95/98/Me product line in the other. This would create competition in the operating system marketplace, and make actual innovation in that marketplace more likely to the vast benefit of the public. In addition, the 'professional' and 'home' application products should be split out into two more companies, creating a more level playing field across the marketplace.

As to the argument put forth by some observers that breaking up the Microsoft empire would somehow damage the US economy, I think the split-up of the telephone monopoly of AT&T offers convincing evidence to the contrary. In spite of the claims of the apologists for Microsoft, it is well established that competition is good for the economy. Microsoft is hardly the font of creativity: on the contrary, previous lawsuits (such as Stak Electronics vs. Microsoft) have established that Microsoft often steals the technologies that it claims to have innovated. If Microsoft had to compete on a level playing field against the smaller companies which traditionally have represented the source of most of the technological innovation in this country, then more technological innovation would likely reach

the marketplace to the benefit of both the consumers and the economy as a whole.

For these reasons I urge you to refuse the proposed settlements, and aggressively pursue the breakup of Microsoft monopoly for the future benefit of the consumers and the economy as a whole. In addition, Microsoft should be forced to pay fines in retribution for their past behavior. Part of those fines should be used to reimburse the various governments for the expenses of litigating these cases, and part should be paid directly to the immediate injured parties (Digital Research, IBM, Apple, Netscape, etc).

--

- Steven W. Mitchell <mitch@alumni.caltech.edu>
<steve@collegeparksoftware.com>

#include "Unix and C are the ultimate computer viruses."
std_disclaim.h| Richard P. Gabriel